

Encountering Attica: Documentary Filmmaking as Pedagogical Tool

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Introduction

For the average law student, walking into the state correctional facility in Attica, New York is a shocking transition into a completely foreign culture in which common household objects are prized, seemingly innocuous activities are forbidden, technologies the public takes for granted are alien, and the sight of a tree trunk, grass, flowers are distant memories. Students instantly recognize the inchoate liminality of these set apart spaces.¹ The ordinary rights and privileges that come with civilian status that students enjoy—to come and go as they please, to candidly express their opinions, and to feel physically secure—quickly evaporate as they approach the facility. High barren walls that enclose rather than protect the inhabitants accost them, a bleak, grey surface over one foot thick that extends 30 feet in the air (and another 15 feet below the ground), that encloses 200 acres of grounds and turn-of-the-century brick buildings. Correctional officers posted at the front gate may meet a group of law students for a facility tour—all of whom must be searched and clear the metal detectors—with hostility. Alternatively, such a visit could be a novelty and they may welcome the opportunity for outsiders (particularly higher-status outsiders) to observe first-hand (and sympathetically) the stress and boredom their jobs entail. After taking off all metal objects, including belts, earrings, glasses, hair barrettes, even underwire bras to clear the metal detector, students walk into an interlock, an entirely controlled space in which advance and retreat are equally foreclosed by motorized doors with iron bars. Past the interlock, when the second set of iron bars clangs behind them, they look into a completely different panorama. By entering this foreign world, law students are challenged to consider the “back end” of the criminal justice system, the part of criminal punishment that penal modernism has tucked away out of public sight.

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1. Agnes Czajka, *Inclusive Exclusion: Citizenship and the American Prisoner and Prison*, 76 *Stud. in Pol. Econ.* 111-142 (2005) (describing supermax prisons as liminal spaces); Dominique Moran, *Between Outside and Inside: Prison Visiting Rooms as Liminal Carceral Spaces*, *GeoJournal: An International Journal of Geography* available at <http://www.springerlink.com/content/p805836842373543/>.

Over the past 15 years, a central part of my research has been documenting the process of law students interacting with parts of the criminal justice system that remain hidden from view. As a part of this process, I have discovered that documentary filmmaking can be an important pedagogical tool. While the use of film and video has only recently gained acceptance as a tool of classroom instruction, documentary filmmaking involving students *outside* the classroom is considered unconventional and has yet to gain wide acceptance or integration into the law school curriculum. My work with law students and documentary filmmaking has provided a unique perspective on the criminal justice system and the role of prisons in society. It has allowed law students to explore the actual impact of criminal law and rules of criminal procedure on the lived experiences of convicted felons—criminal defendants whose experience in the criminal justice system can be described as “less than satisfactory.” It has created a forum for law students and convicted felons to exchange ideas, dispel myths, and explore points of ideological convergence.

However, the way in which the documentary process is undertaken is vital to its value as a teaching tool. This is not a claim that any and all documentary enterprises connected to the criminal justice system would have this educational impact. When used not to exploit, expose, or sensationalize, but to explore relationships between law students and the institutional actors within the prison system, documentary filmmaking provides a powerful tool for communication and understanding across differences. In addition, the presence of the video camera changes the atmosphere within the prison, giving prisoners an opportunity to reach out beyond the physical barrier of the prison wall, while signaling to correctional staff that the prison is not as closed off or isolated as it is commonly believed to be.

The idea of my project was to see would happen when I brought students into a men’s maximum-security prison for the first time, exposed them to a small group of men serving life sentences over the course of their first year of law school, and documented their reactions, as well as the reactions of the inmates to them. The value of this pedagogical enterprise is achieved through documenting the process of students investigating, researching, interacting and questioning prisoners serving life sentences, and establishing a relationship sufficient that the prisoners feel comfortable speaking to them with candor. The result is threefold: experiential learning that couldn’t be replicated in the classroom; a diminished barrier between prisons and the outside world; and a product, a documentary about the process.

I. How We Currently Teach Criminal Procedure

I teach Criminal Procedure 1 to 2Ls and 3Ls, a job that entails lecturing for three hours a week in a large lecture hall, discussing famous U.S. Supreme Court cases about civilian encounters with law enforcement officers that resulted in criminal convictions. Despite the exclusive focus on criminal investigations—what you might call the “front end” of the criminal justice system—these cases are saturated with themes stigmatizing convicted felons.

Judges loath to apply the exclusionary rule often cite the wisdom of then-Judge Benjamin Cardozo in observing that “[t]he criminal is to go free because the constable has blundered.”² Furthermore, in the course of their opinions, the justices often lament the practical difficulty of securing rights guaranteed by the Fourth Amendment when convicted felons are the litigants seeking its protection. In addition, these opinions may construct a dichotomy between the law-abiding public and “criminals.”³ Judicial opinions often restate the position of law enforcement officials that narrowing the scope of Fourth Amendment protections is harmless because police officers are only concerned with the “criminal elements.”⁴

Balancing this perspective is a formidable task, particularly when one can rely on only a limited set of classroom tools. A common strategy employed by law professors is to simply state, or ask students to state, a contrasting view of the roots of criminal offending. Clearly, this approach is limited. It doesn’t provide a full account of the circumstances (and choices) confronting people who criminally offend. Nor does it acknowledge the discretion law enforcement agents employ in investigating and charging suspects. Approaches like this teach the criminal procedural law doctrine, but fail to do so in the context of how these rules are actually applied to criminal suspects.

Some law professors go further to develop a more nuanced understanding of police processes and investigations. They work with local law enforcement officials to set up police ride-alongs, bring in guest speakers, encourage student clinical experiences, or rely on students to gain knowledge of the criminal

2. Cardozo made this comment on the exclusionary rule in *People v. Defore*, 242 N.Y. 13, 21, 150 N.E. 585, 587 (1926), and has since been cited for this proposition numerous times. *E.g.*, *People v. Nieves*, 72 Misc.2d, 339 NYS2d 832 (1972); *Matter of Sherman*, 98 Misc.3d 431, 430, 144 NYS2d 78, 80 (1979); *People v. Salerno*, 38 Misc.2d 467, 469, 235 NYS2d 879, 882 (1962); *Matter of Carlos B.*, 86 Misc.2d 160, 165, 382 NYS2d 655, 659 (1976); *People v. Boodle* (Judge Fuchsberg, dissenting), 47 NYS2d 398, 391 NE2d 1329, 1333 (1979); *People v. Lucas*, 183 Misc.2d 639, 645-46, 704 NYS2d 779, 784 (“To hold that an impure motivation taints the stop when a pure motivation would result in a denial of suppression encourages tunnel vision in police work, and would give ultimate expression to Cardozo’s famous line, ‘the criminal is to go free because the constable has blundered,’ here only in his thoughts and not in his deeds.”).
3. When reading a case in which an appellant challenges the denial of a motion to suppress based upon the Fourth Amendment proscription on unreasonable searches, it is not unusual for students to remark that the person wouldn’t need to raise the Fourth Amendment “if he didn’t have something to hide.” The question of how the procedural doctrine is interpreted and applied to the facts often gets conflated with the students’ beliefs regarding the litigant’s guilt or innocence. Unlike other areas of law—such as contracts, torts, or constitutional law—criminal procedure students read Fourth Amendment cases knowing that the criminal suspect was convicted of a crime.
4. “We decline to extend the exclusionary rule, which already exacts an enormous price from society and our system of justice, to further ‘protect’ criminal activity, as the dissent would have us do.” *Segura v. U.S.*, 468 U.S. 796, 817 (1984); “It is another example of what I think is this court’s tendency unduly to emphasize technicalities which protect criminals and hamper law enforcement, against which I have repeatedly protested” *Kilough v. U. S.*, 315 F.2d 241 (C.A.D.C., 1962).

justice system through extracurricular experiences such as the Prison Task Force of the National Lawyers Guild, or Criminal Law Society events. These approaches provide students with a broader understanding of policing and the criminal justice system process, but not of the perspective of convicted individuals who have—by and large—unsuccessfully navigated the criminal procedural system.

Ultimately, convicted felons possess a unique perspective on the procedural morass of the criminal justice system. They understand the impact of poverty, racial stigma, police authority, urban politics and the uneven application of rules in the criminal process. One example of the insights convicted felons have on the criminal justice system emerged from my experience working with prisoners. It illustrates a criminal procedure at the back end of the system, but one that nonetheless challenges the sufficiency of due process in criminal sentencing.

In the course of interviewing an inmate at Attica I will call K., I learned that he was serving 16 years to life for burglarizing a home in 1999 with the intention of stealing electronic equipment to finance his drug habit. He had a felony conviction for check forging out-of-state and a prior conviction in New York State for second degree burglary, a Class C felony, in 1992. K. was given a sentence of 4-8 years, and released on parole in 1996. Three years later, he violated his parole conditions when he was convicted again of burglary, in the second degree. In neither instance did the prosecution demonstrate the use of a weapon or any violence in the commission of the crime. Yet because second-degree burglary is classified a “violent” felony, even if there is no violence in the commission of the crime, he qualified as a persistent career felon under New York’s version of “three strikes,” and received a 16-to-life sentence. Over the last decade, I have met with this inmate many times. I knew K. to be an affable, even-tempered guy, a new grandfather with a penchant for humor and really corny jokes. However he could become serious and speak directly, sincerely and clearly about his life, and his fall from grace. He struck me as a man serving a life sentence that seemed more appropriate for someone who had assaulted people, threatened their lives, or otherwise put them in apprehension of serious bodily harm. K’s minimum 16-year sentence was only four yours short of the standard sentence of 20-to-life that is imposed in cases of second-degree murder. This is the kind of human result from applying the rules of criminal procedure that is not evident to the average law student.

II. The *Encountering Attica* Project

Bringing a video camera into a prison is no small feat. With the exception of surveillance cameras owned and operated by the Department of Corrections and Community Supervision (DOCCS) and the occasional video camera brought in by a news reporter for the limited purpose of interviewing an inmate, the presence of video cameras in New York State correctional facilities

5. The completed *Encountering Attica* short film may be viewed in its entirety at <http://www.vimeo.com/39548436>.

is rare. This equipment is strictly regulated, largely due to the risk the video cameras may pose to security.⁶ The story of how I managed to videotape inside Attica for several months is presented here as an example of how it can be accomplished. I was able to produce a short film that documents the social encounter between three newly-minted law students and five inmates serving life sentences at Attica. These relationships that began five years ago, continue to inform my criminal law classes (e.g. Criminal Procedure I, Prisoner Rights, and Criminal Immigration), and influence the choices of the law students and prisoners involved in the project.

Encountering Attica began as an idea to produce a dialog between law students and inmates serving long sentences in a maximum-security setting. I was curious about how a first-hand encounter with individuals whose lives had been indelibly changed by their experiences with the legal system would affect students who were just beginning their professional training as lawyers. It was also my intention to extend my own legal scholarship beyond the law library and online databases, into brick and mortar prisons where the lived experiences of prisoners challenge many basic assumptions about fairness, rationality, and the legal process. Finally, I wanted to employ the very accessible medium of videotape to document the relationship that developed between the students and the inmates, convinced that the encounter would be dynamic.

Conceived in Spring 2007, the project was implemented the following August, a few weeks before SUNY Buffalo Law School's 1L orientation for the class of 2010. I contacted the admissions director and asked her to identify eight likely candidates who would represent a cross-section of the law school's religious, ethnic, sexual, racial, and age diversity. The initial group included an older white woman pursuing a second career; a young, Muslim woman whose family immigrated to the Southeast when she was a child; a young Puerto Rican man from New York City; a Canadian Jamaican Christian; and a young, white man with extensive experience living abroad. At orientation, I spoke to all eight students, and they agreed to participate.

My next step was to contact the superintendent at Attica Correctional Facility, and seek permission to bring a group of law students into the facility to speak with inmates. Over the years, I have had extensive contact with the inmates who ran CAP, Attica's Community Awareness Program, a public access program involving a group of model inmates chosen by the prison administration. After the Attica Uprising in 1971 and revelations about the mistreatment of prisoners entered the public sphere, CAP was established as a pressure-valve to reduce prisoner isolation from the public, and to increase public confidence in the prison system. Fortunately, I had a successful track record of bringing students from my Prisoner Law class to prisons in the Buffalo area, Attica in particular, so I was able to secure permission to have the students meet with the CAP group on a monthly basis.

6. NYSDOCCS Directive #0401 (last revised Dec. 16, 2008) pertains to media access to prisons and prisoners, and spells out the terms upon which news media are permitted to videotape inside New York State prisons.

When the students made their first visit to Attica to meet the CAP inmates in September 2007, the facility had not granted permission to videotape the meetings. This would not occur until halfway through the academic year, right around the winter break. The initial plan was to take the students to Attica, and then videotape their initial reactions and impressions immediately after they returned from the prison. I spent roughly ten hours interviewing the students about their initial reactions to Attica, and the CAP inmates.

By the end of the first month of classes, the challenges (both inside and outside the classroom) that typically limit the extra-curricular activities of first year law students had narrowed the group down to three students: Nathan Short, Siana Jody McLean, and Lisette Ruotolo. While the students who dropped out did so for a variety of reasons, generally it was due to one of three factors: the time commitment involved, discomfort with the prison environment, or financial concerns (one student took a job). While I worried at first about the student attrition, those who remained were fiercely dedicated to the project, and remained involved beyond the anticipated end of the project, the end of the law students' 1L year.

With the project approved by James Conway, the superintendent at Attica, and three committed students on board, the next step was to seek the permission of the inmate group. During our first meeting with the CAP inmates, six of the initial law students were able to attend. I began by describing my idea of facilitating a year-long, free-ranging discussion between first-year law students and the CAP inmates. The inmates were generally receptive, but one, whom I will call ML, had strong reservations that law students would only be able to see him as a murderer, not as a father, a son or as a real person.

By our second meeting with the CAP group, I had three committed first-year law students and a core group of four CAP inmate members: ML, KH, JD, and TG. All four men were serving life sentences—most, but not all for murder—although the circumstances of their crimes, the theories supporting their punishments, and the length of their sentences varied dramatically. A fifth inmate, AR, also a member of the CAP group, took part in the discussions throughout the year, but declined to be interviewed in deference to the wishes of family members that he not discuss the circumstances of his crime.

At first, I only had permission to bring the students in to talk with the inmates on a monthly basis without bringing any technology into the prison. After every visit to the prison, I would interview the students, asking them to reconstruct the conversation, and probing their ideas about the inmates and what they had discussed. This was a tedious, but important, process. After our third meeting with the inmates, Superintendent Conway—who had been keeping a careful eye on the entire endeavor—agreed to let me bring video and sound equipment into a first floor room below the Special Housing

Unit,⁷ typically used for parole hearings, for the sole purpose of videotaping the meetings between the inmates and the law students. We were permitted to meet with the CAP inmates in that room, while a University at Buffalo graduate media study student operated the video and sound equipment. The sessions were recorded and simultaneously burned to a DVD that I turned over to the superintendent on my way out of the facility. His confidence in our project was based on several factors: trust that I had established with him over several years of bringing law students into Attica, the positive nature of the inmate/law student encounter, the good image and relations such an encounter created to the outside world but, perhaps most importantly, his review of the footage we shot and immediately made available to him. It was his insurance that the nothing embarrassing to the department would emerge from the project.⁸

III. What a Difference a Camera Makes

Videotaping the encounter between the law students and the inmates preserved and enhanced the conversation. It also subtly changed the nature of the conversation, and altered the environment in which the conversation took place. Cameras do make a particular kind of difference in interactions—a difference that is useful as a teaching tool.

Cameras as Surveillance Tools

In order to fully appreciate the significance of introducing a video camera into meetings between civilians and inmates at a correctional facility, it is important to understand the emerging role of cameras in the prison setting. The New York State Department of Corrections introduced video cameras into its facilities as early as the late 1970's. By 2006, the department had expended over \$35 million in fixed, surveillance video cameras for the purpose of documenting events that were likely to give rise to disciplinary or criminal proceedings. Inmates had been calling for cameras for years, in order to defend themselves against charges of misconduct. In a closed institution where disciplinary charges are often supported only by an officer's sworn statement, prisoners initially welcomed the video camera as an objective voice to supplement or

7. The Special Housing Unit is the "box," the area in which prisoners are confined—usually, but not always, for disciplinary reasons—with the greatest restrictions on their liberty and privileges. It was coincidental that the parole hearing room where we videotaped the meetings with the inmates was located on the ground floor of the SHU.
8. A year or so later, I discovered yet another factor that contributed to Mr. Conway's willingness to allow the Encountering Attica Project to be videotaped. Mr. Conway was uniquely legacy-minded, and was contemplating the decision to retire. A second-generation corrections official, and a native Attican deeply affected by the Attica Uprising of 1971, Mr. Conway perceived the Attica Correctional Facility as a watershed historical and cultural institution as well as a workplace. His concern for public awareness of the prison and corresponding support for the Encountering Attica documentary project were key factors in my authorization (two years later) from the head of corrections in New York State to take cameras deep into the interior areas of Attica for a more extensive documentary project on the prison itself.

contradict the accounts of correctional officers. Conversely, correctional officers were initially far more wary, unaccustomed as they were to being the subject of surveillance, as well as the source. Eventually, correctional officers adjusted to the presence of the cameras and began to recognize the advantages of its “third voice” in squelching inmates’ accusations of misconduct. By the time I sought permission to videotape the discussions between the *Encountering Attica* participants, nearly 25 years of fixed and handheld video camera usage had normalized the surveillance function of videotape in the New York State prisons, and returned the advantage to correctional officers who always controlled the operation of the handheld video cameras, and who adjusted to the presence of fixed surveillance cameras in some areas of the prison, and benefitted from the strategic absence of cameras in other areas.⁹

Cameras as Interview Tools

In contrast to the surveillance function, the introduction of the video camera into the inmate-student dialog serves a function completely unrelated to security. First the camera enables the voices of prisoners to be preserved and heard beyond the confines of the prison. Moreover, the camera gives a “face” to the inmate voice, and forces the viewer to gaze upon the faces of a population often described as “forgotten.” Prisoners lack both a political and cultural voice, and their First Amendment speech rights are among the most limited. Therefore, the camera renders visible and vocal, that which the penal system was designed to silence and obscure. Second, the camera is a potentially humanizing tool when used to document a respectful dialog between prisoners and law students seeking to understand each other. With editing that preserves the integrity of the encounter, the camera can portray prisoners not only as criminal offenders, but as fathers, brothers, nephews, grandfathers, and sons. Viewers do not see prisoners as caged animals (e.g., as in reality prison shows like MSNBC’s *Lock Up*). Instead, criminals are engaged in intelligent, respectful conversation with highly educated members

9. In a recent evaluation of conditions at Attica by a non-partisan, not-for-profit prison reform advocacy organization, the absence of video cameras in certain critical areas of the prison was noted. In the report following its two-day, on-site inspection of Attica, the Correctional Association of New York recommended installation of video cameras “in areas of the prison, including the special housing unit, where incidents of violence are alleged to have occurred more frequently” in order to better protect Attica’s inmates from abuse. The report went on to recommend that the DOCCS “develop a system to preserve these recording so that they can be used in subsequent investigations of allegations of improper behavior by inmates and/or staff.” Correctional Association of New York Prison Visiting Project, Report on Attica Correctional Facility (April 2011), available at <http://www.correctionalassociation.org/wp-content/uploads/2012/05/Attica-2011-Report.pdf>. While New York State’s top prison official, Commissioner Brian Fischer, credits surveillance video as an intervention for unreasonable searches, sexual bias incidents, and unacceptable uses of force, he concedes that cameras alone will not eliminate inappropriate conduct, and thereby ensure inmate safety. Brian Fischer, Keynote Address at Attica40: Looking Back, Moving Forward Conference, SUNY Buffalo Law School, Buffalo, NY (Sept. 13, 2011).

of society. The video camera has the potential to remove some of the barriers between the prison and society.

Third, the presence of a camera in a prison (where technology is highly controlled and restricted) tends to make the staff and inmates self-conscious. Cameras have a particular cultural context in the current prison system. Initially introduced to document and reduce the undesirable conduct of inmates (primarily) and officers (secondarily), the surveillance function emphasizes the fact that someone is watching. And when the camera isn't owned and installed by the Department of Corrections, prison guards are acutely aware of that they are possibly being watched by someone not affiliated with corrections. In this sense, the camera humanizes the prison by exposing the hidden world of corrections to the gaze of outsiders.

Each of these three positive effects occurred when we took the camera into the prison. Correctional officers who are normally quite comfortable doing their job were uncomfortable when the camera was recording, preferring to stay out of the frame. In contrast, nearly all of the prisoners were excited to be videotaped, and comfortable in front of the camera. And since the *Encountering Attica* Project was about prisoners getting to know a group of students—and didn't directly pertain to correctional officers at Attica—they felt empowered to give their side of the story, to speak from their point of view.

In spite of the humanizing character of the camera, there were also negative dimensions to having it in the prison. For example, one prisoner, ML, expressed "reluctance" to appear before the camera, feeling as if the viewing public would see him only as a murderer, not as a man who was a father, son, uncle, nephew and brother. In addition, correctional staff that were generally uncomfortable with the presence of an outsider's camera, were wary of the process and expressed concerns that the news media or others might use it. I believe the trepidation of the prison staff reflected the novelty and the dangers they perceived in a dialogue between prisoners and civilians.

IV. How and What Students Learned from the *Encountering Attica* Project

The three students who completed the project were diverse in their approaches, attitudes and responses to the experience. Siana, the sole non-U.S. citizen in the group, is of Jamaican ancestry. She came to law school to continue to do "God's work" training to be a legal advocate. She envisioned herself helping people as a legal services or public interest attorney. One of the reasons she gave for participating in the *Encountering Attica* Project was her desire to see, close-up, an institutional system that was so inextricably tied to urban poverty, social stigma, and recidivism. She thought that understanding the prison system would give her a better understanding of the cycle of poverty that plagues urban communities of color. Siana reported in an interview one year later, that her experience going into Attica and talking with the inmates had strengthened her resolve to provide legal services to underserved populations.

Nathan, the sole male in the group, came to law school to pursue opportunities in international business and law. He taught 8th grade English to kids in the South Bronx before coming to law school. Nathan was the most ambivalent about venturing into Attica over the course of his first year in law school. I could see him struggling to reconcile his growing acquaintance with the CAP inmates with his own moral compass. In the end, Nathan's curiosity and commitment to the project outweighed his ambivalence. He reported being able to see these "lifers" as human beings, not solely defined by the crimes for which they are incarcerated.

Lastly, Lisette had the most compelling reason *not* to participate in the *Encountering Attica* Project. An uncle she was close to was killed when she was five years old, and she felt—firsthand—the wide-ranging impact of violent crime on families of the victims. Lisette came to law school to study international law. As the film discloses, Lisette was struck by the apparent apathy of her classmates toward the problem of mass incarceration. Indeed she was maddened by their failure to understand—or even seek to understand—why she would commit scarce, valuable time outside of classes to talk with prisoners. Though a self-admitted conservative on issues of criminal punishment, Lisette was shocked that classmates were offended by the suggestion that prisons and the broader society are inexorably connected.

V. Bringing a Real-World Perspective to the Felony Murder Rule

In addition to enhancing students' understanding of the criminal justice system and its impact on the lives of individuals in custody, the *Encountering Attica* Project was a useful pedagogical tool for illuminating doctrine the first-year students were simultaneously learning in class. For example, the students met M., who is serving a sentence of 75 years to life for two murders he was convicted of, in spite of the judge's knowledge that he did not commit them. M. was convicted under the felony murder rule, a controversial doctrine that imposes criminal liability for murder when a death results from the actions of an individual committing or attempting to commit a felony. Criticized frequently¹⁰ (if perhaps inaccurately)¹¹ as a regressive vestige of English common law,¹² the felony murder rule exists in tension with traditional notions of *mens rea* associated with murder.

In conversations with M., the students struggled to reconcile the theory behind murder liability based upon complicity in a felony with the two consecutive life sentences M. was serving despite the finding of a jury that he did not possess the *mens rea* for murder. M.'s affable, educated, and thoughtful manner after 28 years of incarceration and in the face of almost no likelihood of release struck the students as particularly harsh. The students knew from

10. Nelson E. Roth & Scott E. Sundby, *The Felony- Murder Rule: A Doctrine at Constitutional Crossroads*, 70 Cornell L. Rev. 446 (1985).

11. Guyora Binder, *The Origins of American Felony Murder Rules*, 57 Stan. L. Rev. 59 (2005).

12. Wayne R. LaFave, *Criminal Law* 671 (West Group, 3d ed. 2000).

their conversations with the inmates that all but K. and M. had taken the life of another person, and were serving life sentences for second-degree murder. They knew, as well, that M. was serving a sentence more than three times as long as any of the other men who were convicted of murder. That knowledge caused them to ponder the felony-murder doctrine in a way that was more informed, and more invested, than the vast majority of their classmates.

VI. Life after *Encountering Attica*

The *Encountering Attica* Project spanned the 2007-08 academic year. Editing the footage shot during the eight two-hours sessions into a short, 26-minute film took 16 months. During that time, each of the three law students completed their second year of law school and began their third year. In May 2010, on the cusp of their law school graduation, Lisette, Nathan, and Siana returned to Attica for the first time since the end of their 1L year to meet with the five inmates again. Mr. Conway granted me permission to bring a DVD player and a projector into the auxiliary visiting room to show the completed short film to the men, along with three or four other inmates who participated in the Community Awareness Program. We were unexpectedly joined by a small cohort of correctional staff curious to see the documentary. At some point, Superintendent Conway joined us as well.

The inmates were delighted to see the students, and to catch up on the events in their lives. I was personally struck by the pride the inmates felt in the law students. I was initially concerned that the inmates might be sad to see these young people move on, and leave them behind. To the contrary, the inmates seemed genuinely happy for the students, curious as to their future plans, and invested in their success. As we watched the film together, heads nodded and individuals remarked in hushed tones as highlights of the yearlong, extended conversation appeared on the screen. As the film ended and the credits rolled, the staff gathered in the back of the room, as well as the group of inmates and law students at the front of the room all applauded in unison. It was a moment of closure, but also a moment of expectations. Our expectations were and remain that the opinions of inmates voiced throughout the *Encountering Attica* Project would be amplified beyond the walls of Attica through the distribution of the film; that the iconic image of Attica as a prison wrested from the grip of rebellious prisoners nearly 40 years ago would yield to more representative, contemporary images of a correctional facility; that the potential of several thoughtful, contemplative individuals who may spend the rest of their lives behind bars for bad acts committed many years in the past would be recognized and appreciated by a broader audience; and that correctional officials would begin to perceive structured, voluntary encounters with prisoners and staff at Attica as a resource, rather than a liability.